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to the first edition of the *Method of Ethics* tells us its "plan and purpose is not in the main metaphysical or psychological." Yet in the sketch now given of the development of the thought of which this book is the expression, we find him constantly faced by problems as to the nature of the Self and problems as to the relation of the Self to the Universe. He was not able to escape them. So far as he fails—and the sketch seems a confession of failure—to reach a unity in his thought, the failure occurs just here. "Psychological Hedonism" he is led to "abandon," but "the Conflict between Interest and Duty" remained for him insoluble; he accepts a "Dualism of the Practical Reason."

The service rendered by Sidgwick to Ethics will perhaps be found analogous to the service rendered by Mill to Logic. In each case the method is so transparent, the difficulties that are unsurmounted are presented with so much frankness, that the final failure is more instructive than are many successes. Neither piece of work will need to be done again.

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LONDON.

CRIME IN ITS RELATION TO SOCIAL PROGRESS. By Arthur Cleveland Hall, Ph. D., Fellow in Sociology, Columbia, 1894-95. New York: The Columbia University Press, The Macmillan Company, agents. London: P. S. King and Son. 1902.

Dr. Hall's book, as Professor Giddings of Columbia University says in his introduction, is "a positive contribution to our present knowledge of this immensely important subject." It is as its name indicates, an attempt to study some of the relations of crime to social progress. It is occupied chiefly with two great phases of the subject, namely, the evolutionary function of crime and punishment; and crime as a social product increasing with the increase of social prohibitions.

Dr. Hall does not take up the physiological and psychological aspect of the study of criminology in which attention is focused on the individual and his relation to certain types of organization; nor does he discuss the problems or principles of practical penology in their relation to criminal codes, prison administration, or preventive or corrective influences. His large book of four hundred pages and all the material he has gathered are devoted to the

illustration and proof of the single idea that crime is in large part a social product, increasing with the growth of knowledge, intelligence, and social morality—increasing because of this growth. At first sight it seems a curious proposition upon which to support the broadly optimistic conclusions of the author. His position could easily be misunderstood and we should certainly misunderstand him if we suppose that one must “do evil that good may come,” a doctrine which was long ago condemned as irrational and immoral. The word “Crime” is so broad and varied in its application that we must find out just what Dr. Hall means by it. Professor Giddings in his introduction makes the position of the author clear. “While it would be absurd to say that civilization is promoted by an increase of crime, if by ‘increase,’ we mean a multiplication of evil deeds (the legal definition and the punishment of crime remaining the same), it is yet perfectly true to say that civilization in the long run is promoted by that ‘increase’ of crime which is caused by *an extension of the category* of acts branded by society as criminal, the total number of evil deeds remaining unchanged.”

“The creation of a new crime (that is, the branding by society of some form of conduct as criminal), always implies social punishment—a punishment enforced to raise the community to a higher plane of life, nearer approach to the social idea. A new form of crime means either a step forward or a step backward for the nations using it. Wisely chosen, it is an active force driving men upward to a better, more truly social state of civilization; but the nation that persists in choosing its crimes wrongly is on the high road to degeneration and decay.”

It is in this sense that the author confidently makes what otherwise would be a paradoxical declaration, that “the most civilized and progressive States have the most crime.”

In the illustration of this proposition Dr. Hall surveys the whole field of the history of civilization. In the desire to get down to the very root of social organization he even devotes a chapter on social punishment among animals. But about all that can be shown in this field is that the spirit of individual vengeance which still so largely dominates in the criminal codes of civilized people has a parallel in the crude law of reprisal found in the animal and rooted in the necessity of self defense.

In the large space given to the savage races, while impressed with the industry and wide reading of the author, we are not impressed with the scientific character of a large number of the facts quoted from authors dealing with savage tribes. The observations

of casual travelers or even of missionaries of long residence among savage tribes are too apt to be superficial and unscientific. It would be an interesting and important contribution to the history of criminal law if the more prominent savage tribes could be thoroughly studied and their categories of offenses, procedure and punishment carefully noted, but doubtless here we should find as much variety in legal and local standards as exists in the forty-five States of our own Union.

We are not quite as badly off as to data for making comparisons among civilized nations, but the want of a uniform system of compiling criminal statistics either in this country or abroad renders comparisons on many lines of absolutely no value. Thus the author allows himself to make comparisons between the different States of the Union based upon their prison population, a method as untrustworthy as basing comparisons on the number of arrests; for in the first case we have the variability in laws and in judges to deal with, and in the second case the comparative vigilance of the police. Thus the reduction in the population of various prisons is largely due to the abolition of the system of feeing sheriffs and to a better application of the law suspending sentence.

In spite of the difficulty in making satisfactory comparisons in the realm of statistics a great number of facts are here brought together whose significance cannot be disputed, and which go to establish the author's general proposition. While American statistics are contradictory and our penal codes are confused and conflicting, the whole trend of American legislation well illustrates the central thought of Dr. Hall's book. In no country are laws made so rapidly and abundantly as in the United States. Some of these statutes represent reactions in social progress. Some are intolerant and unjust, but the great majority with the penalties attached to them represent and register new conceptions of social duty and progress. The category of offenses is greatly multiplied and in most cases in the interest of a higher standard of civilization. The absurd laws passed by some of our legislatures, though contributions to the curiosities of legislation, do not materially affect the general truth of the statement.

Dr. Hall's book is an interesting and valuable contribution to the history of social evolution and may be commended to those who, deploring the increase of crime, fail to make the distinctions which Dr. Hall has shown are so important.

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